

AGENDA
Veneta Planning Commission
Monday - **October 3, 2005** - 7:00 p.m.
Veneta City Hall

I. REVIEW AGENDA

II. PUBLIC COMMENT: If you wish to address the Planning Commission about an issue which is not on the agenda; state your name, address, and limit your comments to 3 minutes

III. APPROVAL OF MINUTES: September 6, 2005

IV. ANNOUNCEMENTS

PUBLIC HEARINGS will follow the following format. Please refer to the reverse side of the agenda for rules governing public testimony and criteria for each type of proposed use.

1. Open Hearing
2. Declaration of Conflict of Interest or Ex-Parte Contacts
3. Staff Report
4. Public Testimony **(SEE REVERSE SIDE OF AGENDA)**
5. Questions from the Veneta City Council and Planning Commission
6. Close of Public Hearing
7. Deliberation and Decision

V. PUBLIC HEARING

A. TIMBERLINE PROPERTIES LLC (V-10-05) - Application Withdrawn

B. ASPEN HEIGHTS SUBDIVISION (V-8-05) - Request for approval of a variance to allow two lots within a 24 lot subdivision in the SFR (8000) zone to be less than the minimum 8000 square feet in size.
Assessors map 17-06-36-34, tax lots 600 & 700

VI. LIMITED LAND USE ACTION

A. LARSON (SR-1-05) - Amendment to Final Order regarding building orientation.
Assessors map 17-06-36-00, tax lot 600

VII. DELIBERATION & DECISION (Continued from September 6, 2005)

A. LARSON (V-11-05) - Request for a variance to allow a building within the Marketplace West shopping center to be oriented away from Jack Kelley Drive.
Assessors map 17-06-36-00, tax lot 600

VIII. LIMITED LAND USE ACTIONS

A. TIMBERLINE PROPERTIES LLC (S-5-05) - Application Withdrawn

B. TIMBERLINE PROPERTIES LLC (SR-8-05) - Request for approval of a site plan review for five 4-plex buildings for property located at 25160 E. Broadway; Veneta, OR Assessors map 17-05-31-23, tax lot 1600

Continued from September 6, 2005

- C. ASPEN HEIGHTS SUBDIVISION (V-8-05) - Request for tentative approval of a 24 lot subdivision located at the west end of Nottingham Street and the south end of Tenth Street.

Assessors map 17-06-36-34, tax lots 600 & 700

- D. ST. THOMAS BECKET ROMAN CATHOLIC CHURCH & ACADEMY (SR-9-05)

Continued from September 6, 2005

Request for site plan amendment to add a gymnasium east of the existing church and school located at 25269 E. Bolton Road; Veneta, OR

Assessors map 17-05-31-34, tax lot 700

IX. OTHER:

A. Administrative Decisions

B. List of Planning Commission Recommendations to the City Council

XIX. ADJOURN:

The next Planning Commission meeting will be held on Monday, November 7, 2005 at 7:00 p.m.

Decisions by the Planning Commission for land use applications are issued with a FINAL ORDER. A Planning Commission Decision may be appealed to the Veneta City Council within 15 days after the Final Order has been signed and mailed. If a written Notice of Appeal is not filed within 15 days of the date the Final Order of the Planning Commission decision is mailed, the decision becomes final. Veneta Land Development Ordinance 417, Section 2.07 (1-3) and Veneta Land Division Ordinance 418, Section 8.03 (4) *Location is wheelchair accessible (WCA). Communication interpreter, including American Sign Language (ASL) interpretation, is available with 48 hours notice. Contact Sheryl Hackett Phone (541) 935-2191, FAX (541) 935-1838 or by TTY Telecommunications Relay Service 1-800-735-1232.*

THIS MEETING WILL BE TAPE-RECORDED.

PUB

LIC HEARINGS - Please observe the following rules.

WRITTEN TESTIMONY:

Written comments received seven (7) days prior to the meeting have been incorporated in the staff report. All comments, including those received up until the meeting, are presented to the Planning Commission members to be considered in their decision.

ORAL TESTIMONY:

If you wish to testify with regard to a matter which has been set for *Public Hearing* please observe the following rules:

1. **State your name and address.**
2. **Indicate if you are in favor of or opposed to the proposal.**
3. **Limit your testimony to three (3) minutes. Testimony must be specific to the issue at hand. Keep your comments brief and to the point.**

The Planning Commission considers all public comments, staff reports, and City ordinances in arriving at a final decision. **Staff reports are available for review at Veneta City Hall - 88184 8th Street - Veneta, Oregon.**

LAND USE DECISIONS - Veneta Municipal Code Chapter 18.05

Whenever this chapter is in effect, the following procedures or procedure similar thereto shall be followed by the city staff and applicable decision-making body: (1) Preparation of brief statement setting forth the criteria and standards considered relevant to the decision of the city staff. Such shall utilize criteria and standards found in the applicable ordinance, the comprehensive plan, and other ordinances and rules and regulations now in effect a from time to time adopted by the city council and appropriate decision-making body.

REQUIRED FINDINGS FOR SITE PLAN REVIEWS

Veneta Land Development Ordinance 417, Article 6, Section 6.04

After an examination of the site and prior to approval of plans, the Commission or Building and Planning Official must make the following findings:

- (1) That the proposed development complies with the Veneta Comprehensive Plan.
- (2) That all provisions of city ordinances are complied with.
- (3) That traffic congestion is avoided, pedestrian, bicycle and vehicular safety are protected and future street right-of-way are protected.
- (4) That proposed signs or lighting will not, by size, location or color, interfere with traffic or limit visibility.
- (5) That adequate water, sewer and utilities for the proposed use are available.
- (6) That drainageways are protected and drainage facilities provided.
- (7) That the extent of emissions and potential nuisance characteristics are reasonably compatible with the land use district, adjacent land uses and the standards of all applicable regulatory agencies having jurisdiction

CATEGORIES FOR REVIEW OF TENTATIVE SUBDIVISION PLAN APPLICATIONS

Veneta Land Division Ordinance, Article 4, Section 4.03

The Planning Commission may approve, approve with conditions, or deny a tentative plan based on the standards found in the following sections of the Land Division Ordinance, Land Development Ordinance, and other sources specified in this section:

- (1) The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.*
- (2) Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article*

- 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and City utility plans.
- (3) The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).
- (4) Topography, floodplain, wetlands, and vegetation have been incorporated into the subdivision design in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).
- (5) Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.
- (6) Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.
- (7) The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land Development Ordinance).

CRITERIA FOR REVIEW OF VARIANCES TO THE LAND DIVISION ORDINANCE 418

Section 2.05 (3)(b) – The Planning Commission shall consider the variance petition. Refer to the *Notice of Public Hearing* in Article 2 of the Land Development Ordinance for notification requirements. A variance or conditional variance may be granted provided all the following circumstances exist:

1. That there are special circumstances or conditions affecting the property.
2. That the variance is necessary for the proper design and/or function of the subdivision.
3. That the granting of a variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.
4. That the granting of the variance is in accordance with the purposes and objectives of the Comprehensive Plan and other related Veneta ordinances.
5. That the variance is necessary for the preservation and enjoyment of a substantial property right because of an extraordinary hardship which would

result from strict compliance with the regulations of this ordinance.

6. *And if applicable, that the variance is necessary to conform to an approved planned unit development approach which utilizes new planning and development techniques that do not necessarily conform with the more conventional standards of land division, design or improvements prescribed by this ordinance.*

**CRITERIA FOR REVIEW OF VARIANCES TO THE
VENETA LAND DEVELOPMENT ORDINANCE 417**

Article 10, Section 10.03 - A variance may be granted only in the event that all of the following circumstances exist:

- (1) Special or unusual circumstances apply to the property or use which do not apply generally to other properties or uses in the same zone or vicinity.
- (2) The variance would not be materially detrimental to the public health, safety and welfare or to the purposes of this ordinance or to property in the same zone or vicinity in which the property is located or otherwise conflict with the objectives of any City plan or policy.
- (3) The variance requested is the minimum variance which would alleviate the hardship.